

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JESSICA TURNER on behalf of her minor
child J.T,

Plaintiff,

-against-

NORTHWOOD SCHOOL,

Defendant.

No. 8:23-cv-00132-GTS-DJS

[Proposed]

ORDER TO SHOW CAUSE

Upon reading the Declaration of J.T. dated January 30, 2023; the Declaration of Jessica Turner dated January 30, 2023 and the exhibits thereto; the Declaration of Kelli Robbins dated January 30, 2023; the Declaration of David A. Lebowitz dated January 31, 2023 and the exhibits thereto; the Memorandum of Law in Support of Plaintiff's Motion for a Preliminary Injunction and a Temporary Restraining Order, dated January 31, 2023; together with Plaintiff's Complaint and all pleadings and proceedings relevant to this action, and finding good and sufficient cause therefor, it is hereby:

ORDERED that Defendant Northwood School show cause before this Court on _____, 2023, at _____ a.m./p.m., or as soon thereafter as counsel can be heard, why an order should not be issued, pursuant to Federal Rule of Civil Procedure 65:

- (A) Preliminarily enjoining Defendant, its officers, directors, principals, agents, servants, employees, successors, assigns, and all those acting in concert or participation with them (collectively "Defendant") from refusing to allow J.T. to attend school on its campus with the assistance of her service dog;

- (B) Preliminarily enjoining Defendant from continuing J.T.'s involuntary medical leave of absence from its campus;
- (C) Preliminarily enjoining Defendant from retaliating against, coercing, intimidating, threatening, or interfering with Plaintiff and/or J.T.'s exercise or enjoyment of rights granted to them under the Americans with Disabilities Act or the Fair Housing Act; and
- (D) Directing Defendant to preserve all documents and communications related to this case and/or J.T. in its possession, custody, or control, including all electronically stored information;

FURTHER ORDERED that a copy of this Order to Show Cause together with the papers upon which it is based, and the Summons and Complaint, be served upon Defendant on or before _____, 2023 by delivering copies thereof via hand or overnight delivery to its offices at 92 Northwood Road, Lake Placid, New York and emailing copies thereof to its counsel, Andrew D. Bobrek, Esq., of Bond Schoeneck & King, which shall be deemed good and sufficient service;

FURTHER ORDERED that service of opposition papers, if any, be made on or before _____, 2023, via ECF; and

FURTHER ORDERED that service of reply papers, if any, be made on or before _____, 2023, via ECF.

SO ORDERED:

Dated: _____

U.S.D.J.